

Serial No. 09/492,315
Reply to Office Action dated March 29, 2004

Docket No. MEMS-0121-US

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the following remarks. Claims 1-24 are pending in the application.

Interview Summary

At the outset, Applicant's representative thanks the Examiner for the courtesies extended during the interview conducted on June 29, 2004. As noted in the Interview Summary of the same date, Applicant's representative appreciates the Examiner's indication that he will reconsider the outstanding rejections upon submission of the formal response. Accordingly, Applicant's formal response follows.

Title of the Invention

The title of the invention was previously amended as noted during the above-referenced interview. The Examiner indicated that the title was acceptable. Accordingly, no further amendments to the title are made. If after further consideration the Examiner believes the title needs further amendment, Applicant respectfully requests that the Examiner suggest an appropriate title.

Information Disclosure Statement

Information Disclosure Statements and accompanying PTO-1449 forms were filed on May 1, 2000, February 6, 2001 and May 4, 2001. The Examiner has not indicated he has considered ALL the documents identified in the Information Disclosure Statements filed on May 1, 2000 and May 4, 2001. Accordingly, the Examiner is respectfully requested to acknowledge consideration of ALL of the documents identified

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in that Information Disclosure Stat ment by initialing the PTO-1449 forms and returning a copy of the initialed form to the undersigned. For the Examiner's convenience copies of the PTO-1449 forms are attached. Please note that these forms were returned with the Office Action dated 6/21/2002, so Applicant believes the Examiner has a copy of the PTO-1449 forms and the references. If the Examiner is missing some of the documents he is respectfully requested to contact the undersigned so that copies can be supplied.

Allowable Subject Matter

Applicant notes with appreciation the indication on page 3 of the Office Action that claims 1-8 are allowed. Applicant also notes with appreciation the indication on page 3 of the Office Action that claims 16 and 22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicant submits this is not necessary in view of the following remarks.

35 U.S.C. § 102 & 103 Rejections

Claims 9-15, 17, 19-21 and 23 were rejected under 35 U.S.C. § 102(b) as allegedly being clearly anticipated by Nobutoshi et al. (JP No. 08-322067). Claim 18 was rejected under 35 U.S.C. § 103 (a) as allegedly being unpatentable over Nobutoshi et al. (JP No. 08-322067, "Nobutoshi"). Applicant respectfully traverses each of these rejections for at least the following reasons.

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Reply to Response to Arguments

Since the Examiner has maintained the prior rejections and has provided arguments in support of this position, Applicant will address the Examiner's response first.

As noted on page 3 of the outstanding Office Action, the Examiner has alleged that the prior arguments alleged claims 9 and 19 should be allowable for reasons similar to claim 1. However, as detailed in the prior response dated December 4, 2003 (hereinafter "prior response"), and discussed during the above-referenced interview of June 29, 2004, Applicant respectfully submits the features of claim 1 are not relied upon to distinguish claims 9 and 19.

Specifically, as noted in the prior response, claim 9 recites in part "a pitch of lenses within the second lenticular array differs from a pitch of the first lens groups within the first lenticular array". Applicant respectfully does not see this clearly indicated in the applied reference. In fact, in contrast to the Examiner's position, the English translation of the Nobutoshi reference clearly indicates that the lens 2a matches the pitch of lens group (i.e., 4 as illustrated). As stated in the translation of Nobutoshi from the JPO website recited below.

[0055] By the above-mentioned cylindrical-lens array 3 for condensing, each of that cylindrical-lens 3a is arranged here so that it may correspond to each pixel train of the perpendicular direction in the above-mentioned display screen, and in the cylindrical-lens array 2, each of that cylindrical-lens 2a is arranged so that it may correspond to four pixels.

As clearly indicated by this passage and the drawings presumably relied upon by the Examiner the pitch of lens array 2 matches the grouping of lens array 3a (i.e., each lens 2a has the same pitch as a group of 4 of 3a). Since the Examiner has not

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specified all the features claimed and their corresponding relation in the Nobutoshi reference, Applicant can only assume these are the features relied upon by the Examiner. However, Applicant expressly states that these features have been discussed solely for the purposes of addressing the assumed rejection and do not constitute an admission by the Applicant as to the relevancy of any specific element of the applied reference.

As noted in the Interview Summary, the Examiner has indicated that the Nobutoshi reference does not disclose a pitch of lenses within the second lenticular array that differs from a pitch of the first lens groups within the first lenticular array. However, if the Examiner wishes to maintain the rejection and issues an Advisory Action, Applicant respectfully requests that it contain a detailed explanation of the features of the Nobutoshi reference that allegedly teach the claimed features.

SUMMARY

Since the Examiner has maintained his rejection of claims 9-15, 17, 19-21 and 23 under 35 U.S.C. § 102 and 103 as noted above, Applicant once again traverses these rejections. Applicant expressly maintains the reasons from the prior responses to clearly indicate on the record that Applicant has not conceded any of the previous positions relative the maintained rejections. For brevity, Applicant expressly incorporates the prior arguments presented in the December 4, 2003 response without a literal rendition of those arguments in this response.

For at least the foregoing reasons and the reasons set forth in Applicant's response of December 4, 2003, it is respectfully submitted that claims 9 and 19 are distinguishable over the applied art. The remaining dependent claims are allowable at

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least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-3136 and please credit any excess fees to such deposit account.

Respectfully submitted,
Keady, Olds & Maier, PLLC



Mark E. Olds
Registration No. 46,507

P.O. Box 1817
Alexandria, VA 22313
(703) 740-8322 x103

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Attachement(s): PTO-1449 forms filed on May 1, 2000 and May 4, 2001